



RESOLUTION

EXECUTIVE BOARD OF THE DISTRICT OF COLUMBIA HEALTH BENEFIT EXCHANGE AUTHORITY

To establish a Special Enrollment Period starting December 16, 2017 through January 31, 2018 to effectively extend the upcoming plan year 2018 open enrollment period.

WHEREAS, the Health Benefit Exchange Authority Establishment Act of 2011, effective March 4, 2012 (D.C. Law 19-94; D.C. Official Code § 31-3171.01 *et seq.*) (“Act”) created the District of Columbia Health Benefit Exchange Authority (“HBX”), an independent authority of the Government of the District of Columbia, and its governing Executive Board;

WHEREAS, §8 of the Act (D.C. Official Code §31-3171.07) requires the Authority to create a Standing Advisory Board (SAB), and consult with the SAB on certain matters, including any policy or operational issues within the Executive Board’s discretion;

WHEREAS, the SAB is comprised of a variety of stakeholders, including consumers, carriers, brokers, and small businesses;

WHEREAS, on April 18, 2017, the Centers for Medicare & Medicaid Services (CMS) promulgated a final rule, “*Patient Protection and Affordable Care Act; Market Stabilization* (Market Stabilization rule);

WHEREAS, the SAB met on May 18, 2017 to discuss policy issues that arose as a result of the Market Stabilization rule;

WHEREAS, in the Market Stabilization rule, CMS shortened the open enrollment period for plan year 2018 to six weeks, rather than the full three months previously required by federal regulation;

WHEREAS, in the Market Stabilization rule, CMS noted that State Based Exchanges may have operational difficulties this year transitioning to this shorter open enrollment period. CMS specifically noted that under “their [SBM] existing regulatory authority, those Exchanges may elect to supplement the open enrollment period with a special enrollment period, as a transitional measure, to account for those operational difficulties;”

WHEREAS, SAB members recognized that HBX has significant enrollment activity already within this timeframe -- numerous SHOP renewals occur in November and December 2017, and Congressional Open Enrollment also occurs in this window;

WHEREAS, the Contact Center budget planned for a three month open enrollment and was not set to accommodate hiring up and extending operating hours for a six week open enrollment period for the 2018 plan year;

WHEREAS, the Navigator and Assister budgets were planned for a three month open enrollment period and was not set to accommodate hiring up and extending operating hours for a six week open enrollment for the 2018 plan year;

WHEREAS, SAB members raised concern that there was little time to message this change which could reduce District residents' access to coverage thorough DC Health Link;

NOW, THEREFORE, BE IT RESOLVED that the Executive Board hereby adopts the consensus recommendation from the Standing Advisory Board as follows:

Establish a Special Enrollment Period starting December 16, 2017 through January 31, 2018. The regular open enrollment period and the one-time special enrollment period together provide for a three month period that had been planned.

I HEREBY CERTIFY that the foregoing Resolution was adopted on this 14th day of June, 2017, by the Executive Board of the District of Columbia Health Benefit Exchange Authority in an open meeting.

Khalid Pitts, Secretary/Treasurer
District of Columbia Health Benefits Exchange Authority

Date